

Patent



Attorney Docket No. 1232-5098

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : TAMEGAI  
Serial No. : 10/634,052 Art Unit : 2882  
Filing Date : August 4, 2003 Examiner : H. Song  
For : AREA EXPOSURE DOSIMETRY AND AREA  
ABSORBED DOSIMETRY

**PETITION TO REVIVE UNDER 37 CFR § 1.137 (b)**

**Mail Stop - Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

05/04/2006 JADD01 00000025 134500 10634052  
01 FC:1453 1500.00 DA

Sir:

Applicant hereby requests that the above-identified application be revived pursuant to the provisions of 37 CFR § 1.137(b). The present Petition is being filed in response to the Notice of Abandonment mailed by the United States Patent and Trademark Office (USPTO) on April 17, 2006. Submission of the requisite Petition fee of \$1,500.00 for the filing of a Petition to Revive under 37 CFR § 1.137(b) accompanies the present Petition in the form of a Deposit Account authorization set forth below.

**DISCUSSION**

The instant application, per the Notice of Abandonment, was held abandoned on the basis that Applicant did not "timely pay the required issue fee and publication fee...within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-58)."

As set forth under 37 CFR § 1.137(b), a petition to revive an abandoned application on the basis of unintentional delay, must be accompanied by: (1) the required reply to the outstanding Office Action or Notice, unless previously filed, (2) the petition fee as set forth in 37

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CFR § 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) any required terminal disclaimer. In the present situation, the required reply is payment of both the Issue Fee and the Publication Fee.

The Commissioner is hereby authorized to charge the requisite Issue Fee of \$1,400.00, the Publication Fee of \$300.00, and the Petition Fee of \$1,500.00 to Deposit Account No. 13-4500, Order No. 1232-5098. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional. No terminal disclaimer is believed to be required since the present application was filed after June 8, 1995 and is not a design application.

#### **CONCLUSION**

In view of the above discussion, Applicant respectfully submits that all of the requirements, i.e., Items (1)-(4) above, for revival of the above-identified application, pursuant to the unintentional provisions of 37 CFR § 1.137(b), have been satisfied. Accordingly, Applicants request that the present Petition to Revive be granted and that the application be further processed as an allowed application for which both the Issue Fee and the Publication Fee have been timely submitted.

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Petition to Revive Under 37 CFR § 1.137(b)

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**AUTHORIZATION**

The Commissioner is hereby authorized to charge any insufficient fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5098.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: May 3, 2006

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